

Docket No. PHUS-58

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 14 2004

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In re Patent application of:
VERGEZ, J. et al.§
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§
§Serial No.: 09/992,488
Filed: November 6, 2001Group Art Unit: 1617
Examiner: Edward J. Webman

For: Pharmaceutical compositions containing oxybutynin

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being via facsimile transmission to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 14, 2004 at facsimile number <u>703-872-9300</u>	
Typed or printed name of person mailing paper	<u>Rick Matos</u>
Signature of person mailing paper	<u>[Signature]</u>

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the notice mailed April 28, 2004, Applicants respectfully submit the following response. Entry of this response into the record and full consideration thereof is requested.

REMARKS

Claims 1-2 and 5-12 remain pending in the application. No new claims have been added by way of this response. Claims 3-4, 13-48, 64-74 and 106-122 were previously withdrawn from consideration. No claims have been amended by way of this response. Claims 49-63, 75-105 and 123-132 were previously cancelled. All other claims remain the same. Reconsideration of the pending claims is respectfully requested.

The Notice indicates that the amendment mailed April 20, 2004 was non-compliant for failure to include the text of the withdrawn claims. The Notice indicates, "the entire 'Amendments to the Claims' section of the non-compliant document must be resubmitted (in its entirety)."


Enclosed herewith is an "Amendment to the Claims" indicating the status of the claims pending, the text of all claims not otherwise cancelled including the text of the claims that have been withdrawn. Applicants submit that the amendment filed April 20, 2004 is now compliant.

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In view of the foregoing, Applicants submit that claims 1-2 and 5-12 are in form for allowance. An early notice of allowance thereof is respectfully requested.

Respectfully submitted,

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